

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Jonathon Nicholas Whaley

Art Unit 1794

Serial No. 10/560,024

Filed April 25, 2006

Confirmation No. 8326

For WASHER, METHODS, APPARATUS AND UPHOLSTERY

Examiner Alexander S. Thomas

February 18, 2008

RESPONSE TO RESTRICTION REQUIREMENT

TO THE COMMISSIONER FOR PATENTS,

SIR:

This letter is in response to the Office action dated January 17, 2008. The Office sets forth a two-way restriction requirement as follows:

Group I: Claims 1-8 and 20, drawn to a product; and

Group II: Claims 9-14 drawn to a process.

In response to the Restriction requirement, applicant elects the claims of Group I, claims 1-8 and 20, for examination with traverse.

According to the Examiner's numbered paragraph 2, the lack of unity is evidenced by GB2381744, which according to the Examiner discloses the features of instant Claim 1. However, GB2381744 relates to a rosette tuft (discussed also on page 4 lines 5-10 of the present application). A rosette tuft is made of windings of yarn around spindles. The material, i.e. yarn windings, is not wadding material, let alone wadding material that is permanently compressed around the periphery of its central aperture so as to afford the wadding material with elasticity (which thus permits the aperture to stretch or widen to allow a tuft element to be inserted through it and then relax or close to prevent disengagement of the tuft). The aperture in the rosette tuft of GB2381744 is not intended to accommodate a tuft, and is not afforded with elasticity to enable the aperture to expand and close up again.

The reference to other soft tuft elements in GB2381744 (page 2 lines 22-25) also fails to disclose the feature of wadding material that is permanently compressed around the periphery of its central aperture so as to afford the wadding material with elasticity.

Finally, GB2381744 mentions washers (page 3 lines 17-25), but only washers made of metal, plastic or felt material. There is no disclosure or suggestion of washers that are made of wadding material that is permanently compressed around the periphery of its central aperture so as to afford the wadding material with elasticity, such that the aperture can stretch or widen to allow a tuft element to be inserted through it and can then relax or close to prevent disengagement of the tuft.

Therefore, GB2381744 does not disclose the features of instant Claim 1, as was asserted by the Examiner. Since the basis for the restriction requirement is removed, the restriction requirement should be withdrawn.

Applicant hereby affirms the right to file the Group II, claims 17-19, in a divisional application.

It is believed that no fees are due regarding this response. However, the Commissioner is hereby authorized to credit any overpayment or charge any underpayment of Government fees to Deposit Account No. 19-1345.

Respectfully submitted,

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